



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

**NOTICE OF ALLOWANCE AND ISSUE FEE DUE**

021602  
LEONARD CHARLES SUCHYTA  
GTE SERVICE CORPORATION  
HQE03G13  
600 HIDDEN RIDGE  
IRVING TX 75038

WM21/1001

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/853,035	05/02/97	036	MILLER, J 2611	10/01/01
First Named Applicant LIN,	35 USC 154(b) term ext. = 0 Days.			

TITLE OF INVENTION: APPARATUS AND METHODS FOR NETWORK ACCESS USING A SET TOP BOX AND TELEVISION

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
2 96-B-101	725-109.000	M92	UTILITY	NO	\$1240.00	01/02/02

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

PATENT AND TRADEMARK OFFICE COPY



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/853,035	05/02/97	LIN E	96-8-101

021602  
LEONARD CHARLES SUCHYTA  
GTE SERVICE CORPORATION  
HQE03G13  
600 HIDDEN RIDGE  
IRVING TX 75038

WM21/1001

EXAMINER
MILLER, J

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 10/01/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Notice of Allowability

Application No.  
08/853,035

Applicant(s)  
Lin et al

Examiner  
John W. Miller

Art Unit  
2611



**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_\_
2. ☒ The allowed claim(s) is/are 1-36
3. ☐ The drawings filed on \_\_\_\_\_ are acceptable as formal drawings.
4. ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - a) ☐ All    b) ☒ Some\*    c) ☒ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \*Certified copies not received: \_\_\_\_\_
5. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE FOR SUBMITTING NEW FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION. This three-month period for complying with the REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL is extendable under 37 CFR 1.136(a).**

6. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
  7. ☒ Applicant MUST submit NEW FORMAL DRAWINGS
    - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☒ hereto or 2) ☐ to Paper No. \_\_\_\_\_
    - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the examiner.
    - (c) ☐ including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. \_\_\_\_\_
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.**
8. ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

## Attachment(s)

- |                                                                                                                         |                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                              | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 3 <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                          | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____             |
| 5 <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449), Paper No(s). <u>6, 8, &amp; 9</u> | 6 <input type="checkbox"/> Examiner's Amendment/Comment                             |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material                  | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 9 <input type="checkbox"/> Other                                                                                        |                                                                                     |

Art Unit: 2611

*Allowable Subject Matter*

1. Claims 1-36 are allowed.
2. The following is an examiner's statement of reasons for allowance: the prior art, alone or in combination, does not teach or fairly suggest the retrieval and retransmission of data processing network information upon user request in which retrieved information in a network format and having a first interactive element is transformed into a television format having a second interactive element.

The most applicable art of record, the Tanigawa et al (5,973,681) and Burke et al (5,991,800) references do not constitute 'prior' art. However, the following is noted. The Tanigawa et al reference discloses the translation of HTML documents into image data and control or link information for repeated transmission to a television in order to simulate two-way interaction with the World Wide Web in a one-way broadcast television system. The Burke et al reference discloses the translation of Internet data into 'multimedia sensory signals' for transmission to television receivers, as well as the reception and transmission of upstream Internet information.

As for the prior art, the Eyer et al (5,982,445) and Field et al (6,018,764) references disclose similar systems for facilitating the dissemination of Web pages and other Internet resources in a one-way broadcast television system by carrying HTML pages in the broadcast stream. The HTML pages are processed in both systems to provide signals suitable for

Art Unit: 2611

reproduction on a television. However, the format of the pages is not changed, other than that to accommodate the display the pages on the receiver display as opposed to the intended computer monitor display. This is evidenced by the fact that the HTVP processor 215 and HTML processor 215, respectively, implement HTML code like a web browser. Consequently, the references do not disclose the transformation of interactive elements. Moreover, the Field et al reference specifically points out that the system allows users access to information through a broadcast signal without requiring the format of the information to be changed, col. 8, lines 17+, thus substantiating the notion that the HTML code is preserved and that the reference, in fact, teaches away from a translation to a television format.

The Krisbergh et al (5,999,970) reference discloses providing interactive access to an information source such as the Internet by transmitting data through a television distribution system, and particularly through the blank interval of television signals. Therefore, the reference fails to teach or suggest that which is noted above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2611

*Conclusion*

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John W. Miller whose telephone number is (703) 305-4795. The examiner can normally be reached on Monday through Friday from 8:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached at (703) 305-4380. The fax phone number for this Group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

John W. Miller

September 29, 2001



**John W. Miller**  
**Primary Examiner**  
**Art Unit 2611**